

REMARKS

The Examiner has rejected claims 1-53 under 28 U.S.C. 102 (e) as being anticipated by Roberts (US 2004/0233892 A1). Applicants traverse the rejections.

Claim 1

The Examiner has rejected independent claim 1 under 28 USC 102(e) as being anticipated by Roberts. The Examiner states that paragraph 0025 of Roberts discloses "recognizing a request to complete a voice over Internet protocol (VoIP) call to a called party." However, Applicants submit that paragraph 0025 does not disclose this element; rather, paragraph 0025 discloses a computer 132 that communicates with a telephone network. No mention is made of recognizing a request to complete a VoIP call to a called party within Roberts paragraph 0025. Hence Roberts does not disclose this element.

Further, the Examiner states that paragraph 0056 of Roberts discloses "receiving custom ring information from a calling party of the VOIP call, the custom ring information representing a desired ring tone to be played to the called party." Applicants submit that paragraph 0056 of Roberts does not disclose this element; rather, paragraph 0056 discloses step 410, wherein SCP 370 determines whether the call is from a priority caller. If the calling party phone number appears in the calling party ID field of the information data base entry for the called party, then SCP 370 determines that the caller is a priority caller. No mention is made of "receiving custom ring information from a calling party...representing a desired ring tone to be played by the called party." Hence, Roberts does not disclose this element.

The Examiner states that Roberts paragraph 0059 and Figure 5 discloses "initiating delivery of the custom ring information to the called party." Applicants submit that Roberts paragraph 0059 does not disclose this element; rather, paragraph 0059 discloses that if the call is received from a priority caller, SCP sends SSP 316 a priority response that may include a special code indicating that CPE 112 should play the priority alert signal. "The priority alert signal" of Roberts is not "custom ring information from a calling party"; rather, the priority alert signal is a singular signal that indicates that any priority caller has called. Therefore, Roberts does not disclose this element.

For at least the reasons presented above, Applicants submit that independent claim 1 is allowable over the cited prior art.

Claim 2 depends from allowable independent claim 1. Therefore dependent claim 2 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0025 discloses "a call indication method, further comprising utilizing a Public Switched Telephone Network node to perform at least one of the recognizing step, the receiving step, and the initiating step." Applicants submit that paragraph 0025 of Roberts makes no mention of a call indication method utilizing a Public Switched Telephone Network node to perform at least one of the recognizing step, the receiving step, and the initiating step. Instead, Roberts paragraph 0025 discloses computer 132 communicating with telephone network 100 via connection 134 that may comprise dial-up modem line, DSL, T1 line, T3 line, cable modem line, or any other connection that can facilitate a communication session between computer 132 and computer network 130. Therefore, the cited art does not disclose each and every element of dependent claim 2.

For at least the reasons given above, Applicants submit that dependent claim 2 is allowable over the cited prior art.

Claim 3 depends from allowable independent claim 1; therefore dependent claim 3 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0051 discloses "a call indication method, further comprising recognizing that a piece of customer premises equipment associated with the calling party comprises specialized ring tone functionality operable to output the desired ring tone." Applicants submit that Roberts paragraph 0051 makes no mention of recognizing that a piece of customer premises equipment associated with the called party comprises specialized ring tone functionality operable to output the desired ring tone. Instead, Roberts paragraph 0051 discloses step 402 wherein a subscriber, identified by, e.g., a called number, is associated with a priority caller, identified with, e.g., a priority caller phone number. Therefore, Roberts paragraph 0051 does not disclose each and every element of claim 3.

For at least the reasons presented above, Applicants submit that dependent claim 3 is allowable over Roberts.

Claim 4 depends from allowable independent claim 1. Therefore dependent claim 4 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0025 discloses "a call indication method, further comprising delivering at least a portion of the custom ring information in VoIP packets." Applicants submit that Roberts paragraph 0025 makes no mention of a call indication method. Roberts paragraph 0025 also makes no mention of delivering at least a portion of the custom ring information.

For at least the reasons present above, Applicants submit that claim 4 is allowable over Roberts.

Claim 5 depends from allowable independent claim 1. Therefore, dependent claim 4 is allowable over Roberts.

Further, Examiner states that Roberts paragraph 0025 discloses "a call indication method, further comprising delivering the custom ring information across a wireline connection comprising a link of coaxial cable operable to carry data traffic." Applicants submit that Roberts paragraph 0025 makes no mention of a call indication method. Further, Roberts paragraph 0025 makes no mention of delivering custom ring information. Instead, Roberts paragraph 0025 discloses a computer 132 communicates with telephone network 100 via connection 134.

For at least the reasons presented above, Applicants submit that dependent claim 5 is allowable over Roberts.

Claim 6 depends from allowable independent claim 1. Therefore dependent claim 6 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0025 discloses "a call indication method, wherein a VOIP switch initiates delivery of the custom ring information to the called party." Applicants submit that Roberts paragraph 0025 makes no mention of a call indication method. Further, Roberts paragraph 0025 makes no mention of a VoIP switch, and no mention of custom ring information. Roberts paragraph 0025 makes no mention of a VoIP switch that initiates delivery of the custom ring information to the called party. Therefore, Roberts fails to disclose each and every element of claim 6.

For at least the reasons presented above, Applicants submit that dependent claim 6 is allowable over Roberts.

Claim 7 depends from allowable independent claim 1. Therefore dependent claim 7 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0055 discloses “a call indication method, further comprising prompting the calling party to communicate he custom ring information...” Applicants submit that Roberts paragraph 0055 does not disclose a call indication method comprising prompting the calling party to communicate the custom ring information. Rather, Roberts paragraph 0055 discloses SSP 316 launching a query to SCP 370, such as an Info_Analyze query comprising, e.g., the called party phone no., and the calling party phone no. There is no mention of “prompting the calling party to communicate the custom ring information” in Roberts paragraph 0055. Therefore, the cited prior art fails to disclose each and every element of claim 7.

Further, the Examiner states that Roberts paragraph 0052 discloses “recording the custom ring information.” Applicants submit that Roberts paragraph 0052 makes no mention of recording the custom ring information. Therefore, the cited prior art fails to disclose each and every element of claim 7.

For at least the reasons cited above, Applicants submit that dependent claim 7 is allowable over the cited prior art.

Claim 8 depends from allowable independent claim 1. Therefore dependent claim 8 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0059 discloses “ a call indication method, further comprising utilizing a piece of calling party CPE to perform at least one of the recognizing step, the receiving step, and the initiating step.” Applicants submit that Roberts paragraph 0059 does not disclose this element; rather, Roberts paragraph 0059 discloses SCP 370 sending SSP 316 a priority response, that may include a special code indicating that CPE 112 should play the priority alert signal. The SCP 370 sends a priority response to the SSP 316, which in turn causes CPE 112 to play the priority alert signal. CPE 112 does not perform

recognizing, receiving, or initiating. Therefore, the cited art fails to disclose each and every element of claim 8.

For at least the reasons presented above, dependent claim 8 is allowable over the cited prior art.

Claim 9 depends from allowable independent claim 1. Applicants submit that dependent claim 9 is therefore allowable over Roberts.

Further, the Examiner states that that Roberts paragraph 0059 discloses "a call indication method, wherein at least a portion of the custom ring information has a file format selected from the group consisting of a .WAV file, a .MIDI file, and a .AU file." Applicants submit that Roberts paragraph 0059 makes no mention of a .WAV file, a .MIDI file, or a .AU file.

Therefore, the cited art fails to disclose each and every element of claim 9.

For at least the reasons presented above, Applicants submit that dependent claim 9 is allowable over the cited prior art.

Claim 10 depends from allowable independent claim 1. Therefore Applicants submit that dependent claim 10 is allowable over Roberts.

Further, Roberts paragraph 0059 discloses the priority signal (only one priority signal), but makes no mention of custom ring information.

For at least the reasons presented above, Applicants submit that dependent claim 10 is allowable over the cited prior art.

Claim 11 depends from allowable independent claim 1. Therefore Applicants submit that dependent claim 11 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0025 discloses "a call indication method, wherein recognizing the request to complete the VOIP call occurs after receiving the custom ring information." Applicants submit that Roberts paragraph 0025 makes no mention of a call indication method, nor of recognizing the request to complete the VoIP call after receiving the custom ring information. Therefore, the cited prior art fails to disclose each and every element of the claim.

For at least the reasons presented above, Applicants submit that claim 11 is allowable over the cited prior art.

Claim 12 depends from allowable independent claim 1. Therefore Applicants submit that dependent claim 12 is allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0059 discloses "a call indication method, further comprising storing the custom ring information in a memory residing in a piece of calling party customer premises equipment." Applicants submit that Roberts paragraph 0059 makes no mention of storing the custom ring information in a memory residing in a piece of customer premises equipment. In fact, Roberts paragraph 0059 does not disclose storing custom ring information; rather, Roberts paragraph 0059 discloses CPE 112 to play the priority alert signal specified in database 372, but there is no mention whatsoever of storing custom ring information. Therefore, the cited prior art fails to disclose each and every element of the claim.

For at least the reasons presented above, Applicants submit that claim 12 is allowable over the cited prior art.

Claim 13 depends from allowable independent claim 1. Applicants submit that dependent claim 13 is therefore allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0059 discloses "a call indication method, further comprising storing the custom ring information in a memory located within a service provider network." Applicants submit that Roberts paragraph 0059 makes no mention of storing the custom ring information in a memory located within a service provider network. Roberts paragraph 0059 does not disclose storing custom ring information; rather, Roberts paragraph 0059 discloses CPE 112 to play the priority alert signal specified in database 372, but there is no mention whatsoever of storing custom ring information. Therefore, the cited prior art fails to disclose each and every element of the claim.

For at least the reasons presented above, Applicants submit that claim 13 is allowable over the cited prior art.

Claim 14 depends directly from allowable dependent claim 13, and indirectly from allowable independent claim 1. Applicants submit that dependent claim 14 is therefore allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0051 discloses "a call indication method, further comprising recognizing caller identification information of the calling party." Applicants submit that Roberts paragraph 0051 makes no mention of a call indication method comprising recognizing caller identification information of the calling party. Rather, Roberts paragraph 0051 discloses associating the subscriber no. with priority caller information, e.g., priority caller telephone no. Therefore, the cited prior art fails to disclose each and every element of claim 14.

Further, the Examiner states that Roberts paragraph 0052 discloses "finding a location in the memory that is storing the custom ring information." Applicants submit that Roberts paragraph 0052 makes no mention of finding a location in the memory that is storing the custom ring information; rather, Roberts paragraph 0052 discloses that the priority caller information and the subscriber number are stored in database 372; additionally database 372 can contain information regarding a priority alert signal that is associated with the subscriber number. A priority alert signal is not custom ring information. Therefore, the cited prior art fails to disclose each and every element of claim 14.

For at least the reasons presented above, Applicants submit that claim 14 is allowable over the cited prior art.

Claim 15 depends from allowable independent claim 1. Applicants submit that dependent claim 15 is therefore allowable over Roberts.

Further, the Examiner states that Roberts paragraph 0025 discloses "a call indication method, further comprising recognizing another request to complete a second VOIP call to a second called party..." Applicants submit that Roberts paragraph 0025 makes no mention of recognizing another request to complete a second VoIP call to a second called party. Instead, Roberts paragraph 0025 discloses a computer 132 communicating with telephone network 100 via connection 134 and computer network 130. Therefore, the cited prior art does not disclose each and every element of claim 15.

Further, the Examiner states that Roberts paragraph 0058 discloses "determining that a second called party does not want to receive the custom ring information." Applicants submit that Roberts paragraph 0058 does not disclose this element; rather, Roberts paragraph 0058 discloses that SCP 370 sends a default response to SSP 316. There is no mention of "determining" within Roberts paragraph 0058. Therefore, the cited prior art does not disclose each and every element of claim 15.

For at least the reasons presented above, Applicants submit that claim 15 is allowable over the cited prior art.

Claim 16 depends directly from allowable dependent claim 15, and indirectly from allowable independent claim 1. Applicants submit that claim 16 is therefore allowable over the cited prior art.

Further, the Examiner states that Roberts paragraph 0058 discloses "a call indication method, further comprising blocking delivery of the custom ring information to the second called party." Applicants submit that Roberts paragraph 0058 does not disclose blocking delivery of custom ring information, nor does Roberts paragraph 0058 disclose a second called party. Instead, Roberts paragraph 0058 discloses that SCP 370 sends a default response to SSP316 to complete the call to telephone line 314 with a regular ringing tone, or e.g., play an announcement that the subscriber 310 is unavailable. There is no mention in Roberts paragraph 0058 of blocking delivery of custom ring information, nor of a second called party. Therefore, claim 16 is allowable over the cited prior art.

For at least the reasons presented above, Applicants submit that claim 16 is allowable over the cited prior art.

Claim 17 depends directly from allowable dependent claim 15, and indirectly from allowable independent claim 1. Therefore claim 17 is allowable over the cited prior art.

Further, the Examiner states that Sloo paragraph 0051 discloses "a call indication method, further comprising receiving Caller Identification information associated with the second VOIP call." Applicants submit the following:

- 1) Examiner does not supply the US patent number identified with inventor Sloo.

2) In the alternative, if the Examiner meant to cite Roberts, then Applicants respond as follows:

Roberts paragraph 0051 does not disclose receiving Caller Identification information associated with the second VoIP call. Roberts paragraph 0051 makes no mention of a second VoIP call. There is no mention in Roberts paragraph 0051 of receiving Caller Identification information. Therefore Roberts paragraph 0051 does not disclose this element.

Further, the Examiner states that Roberts paragraph 0052 discloses "using the Caller Identification information to determine that the second called party does not want to receive the custom ring information." Applicants submit that Roberts paragraph 0052 does not disclose this element; rather, Roberts paragraph 0052 discloses that priority caller information and subscriber number (i.e., called number) are stored in database 372, which can contain information regarding a priority alert signal that is associated with the subscriber (called) number. A priority alert signal is not custom ring information. Therefore Roberts paragraph 0052 does not disclose this element.

For at least the reasons presented above, Applicants submit that claim 17 is allowable over the cited prior art.

Claim 18

The Examiner has rejected independent Claim 18 as anticipated by Roberts. Applicants traverse the rejection.

The Examiner states that Roberts paragraph 0055 discloses "an interface operable to receive a calling signal that indicates a request to complete a call from a calling party to a called party...." Applicants submit that Roberts paragraph 0055 does not disclose this element; instead Roberts paragraph 0055 discloses a query comprising the called phone no. and the caller phone no. No mention is made of an interface in Roberts paragraph 0055. Therefore Roberts paragraph 0055 does not disclose each and every element of claim 18.

Further, the Examiner states that Roberts paragraph 0059 discloses "...a network node communicatively coupled to the interface and operable to deliver packetized information representing a called party selected ring tone to the called party." Applicants submit that Roberts paragraph 0059 makes no mention of a network node communicatively coupled to the interface; rather Roberts paragraph 0059 discloses that if a call is received from a priority caller, then SCP

370 sends SSP 316 a priority response. Further, Roberts paragraph 0059 makes no mention of a calling party selected ring tone; rather, Roberts paragraph 0059 discloses that, should a call be received from a priority caller, the priority response may include a special code indicating that CPE 112 should play the priority alert signal. There is no discussion within Roberts paragraph 0059 of a calling party selected ring tone, but instead only the priority alert signal. Hence, Roberts paragraph 0059 does not disclose each and every element of claim 18.

For at least the reasons presented above, Applicants submit that independent claim 18 is allowable over the cited prior art.

Claim 19 depends from allowable independent claim 18. Applicants submit that dependent claim 19 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "a VoIP switch operable to communicatively couple to a plurality of subscribers across links comprising twisted pair wiring." Applicants submit that Roberts paragraph 0025 makes no mention of a VoIP switch. Therefore, the cited prior art does not disclose each and every element of claim 19.

For at least the reasons presented above, Applicants submit that independent claim 19 is allowable over the cited prior art.

Claim 20 depends from allowable independent claim 18. Applicants submit that dependent claim 20 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "memory maintaining information indicating that the called party has a piece of telephonic equipment capable of outputting the calling party selected ring tone...." Applicants submit that Roberts paragraph 0025 makes no mention of such a memory; rather Roberts paragraph 0025 discloses a computer 132 that communicates with a telephone network 100. There is no mention in Roberts paragraph 0025 of "memory maintaining information indicating that the called party has...telephonic equipment capable of outputting the calling party selected ring tone." Therefore, the cited art fails to disclose each and every element of claim 20.

For at least the reasons presented above, Applicants submit that independent claim 20 is allowable over the cited prior art.

Claim 21 depends from allowable independent claim 18. Applicants submit that dependent claim 21 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "a ring tone delivery system wherein the network node is further operable to deliver packetized information across a cable network." Applicants submit that Roberts paragraph 0025 makes no mention of a network node as claimed. Therefore, the cited prior art does not disclose each and every element of claim 21.

For at least the reasons presented above, claim 21 is allowable over the cited prior art.

Claim 22 depends from allowable independent claim 18. Applicants submit that dependent claim 22 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "a ring tone delivery system wherein the network node is further operable to deliver packetized information across an xDSL network." Applicants submit that Roberts paragraph 0025 makes no mention of a network node as claimed. Therefore, the cited prior art does not disclose each and every element of claim 22.

For at least the reasons presented above, claim 22 is allowable over the cited prior art.

Claim 23 depends from allowable independent claim 18. Therefore dependent claim 23 is allowable.

Further, the Examiner states that Roberts paragraph 0058 discloses "a ring tone system, further comprising a custom ring tone block list indicating that a second called party does not want to receive the calling party selected ring tone." Applicants submit that Roberts paragraph 0058 makes no mention of a second called party, nor of a custom ring tone block list. Therefore, the cited prior art does not disclose each and every element of claim 23.

For at least the reasons presented above, Applicants submit that claim 23 is allowable over the cited prior art.

Claim 24 depends from allowable independent claim 18. Applicants submit that dependent claim 24 is therefore allowable.

Claim 25 depends from allowable independent claim 18. Applicants submit that dependent claim 25 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "a ring tone system, further comprising a memory maintaining information indicating an additional communication address for the called party...." Applicants submit that Roberts paragraph 0025 makes no mention of a memory maintaining information indicating an additional communication address for the called party. Therefore, the cited prior art does not disclose each and every element of claim 25.

For at least the reasons presented above, Applicants submit that claim 25 is allowable over the cited prior art.

Claim 26

The Examiner has rejected independent claim 26 as anticipated by Roberts. Applicants traverse the rejection.

The Examiner states that Roberts paragraph 0059 discloses "an electronic device...comprising a housing component...." Applicants submit that Roberts paragraph 0059 contains no mention of a housing component. Therefore, the cited prior art does not disclose each and every element of claim 26.

Further, the Examiner states that Roberts paragraph 0052 discloses "a memory located within an enclosure at least partially formed by the housing component...." Applicants submit that Roberts paragraph 0052 makes no mention of a memory located within an enclosure at least partially formed by the housing component. Therefore, the cited prior art does not disclose each and every element of claim 26.

Further, the Examiner states that Roberts paragraph 0054 discloses "a user interface for the electronic device operable to receive a user input indicating a desire to place a call to a called party...." Applicants submit that Roberts paragraph 0054 makes no mention of a user interface operable to receive a user input. Therefore, the cited prior art does not disclose each and every element of claim 26.

Further, the Examiner states that Roberts paragraph 0059 discloses "an output engine operable to initiate communication of the ring tone information...such that a telephonic device of the called party outputs the select ring tone...." Applicants submit that Roberts paragraph 0059

makes no mention of the select ring tone. Rather, paragraph 0059 discloses that SCP 370 sends SSP 316 a priority response that may include a special code indicating that CPE 112 play the priority alert signal. There is no mention of a select ring tone; only the (singular) priority signal. Therefore, the cited prior art does not disclose each and every element of claim 26.

For at least the reasons presented above, Applicants submit that independent claim 26 is allowable over the cited prior art.

Claim 27 depends from allowable independent claim 26. Applicants submit that dependent claim 27 is therefore allowable.

Claim 28 depends from allowable independent claim 26. Applicants submit that dependent claim 28 is therefore allowable.

Further, the Examiner states that that Roberts paragraph 0059 discloses "a call indication method, wherein at least a portion of the custom ring information has a file format selected from the group consisting of a .WAV file, a .MIDI file, and a .AU file." Applicants submit that Roberts paragraph 0059 makes no mention of a .WAV file, a .MIDI file, or a .AU file. Therefore the cited art fails to disclose each and every element of claim 28.

For at least the reasons presented above, Applicants submit that dependent claim 28 is allowable over the cited prior art.

Claim 29 depends from allowable independent claim 26. Applicants submit that dependent claim 29 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0052 discloses "a system, wherein the memory stores additional ring tone information representing a second select ring tone, further wherein the select ring tone is associated with the called party and the second select ring tone is associated with a different party." Applicants submit that Roberts paragraph 0052 makes no mention of a select ring tone. Rather, Roberts paragraph 0052 discloses a priority alert signal that can be stored in a subscriber list or table. Further, there is no mention in Roberts paragraph 0052 of a second select ring tone associated with a different party. Therefore, Roberts paragraph 0052 does not disclose each and every element of claim 29.

For at least the reasons presented above, Applicants submit that dependent claim 29 is allowable over the cited prior art.

Claim 30 depends indirectly from allowable independent claim 26, and directly from allowable dependent claim 28. Applicants submit that claim 30 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "an electronic address book comprising a listing for the called party and a second listing for the second party." Applicants submit that Roberts paragraph 0025 makes no mention of an electronic address book. Further, there is no mention in Roberts paragraph 0025 of a listing for the called party and a second listing for the second party. Therefore, the cited art does not disclose each and every element of claim 30.

For at least the reasons presented above, Applicants submit that dependent claim 30 is allowable over the cited prior art.

Claim 31

The Examiner has rejected independent claim 31 as being anticipated by Roberts. Applicants traverse the rejection.

The Examiner has not indicated that Roberts discloses "...a computer-readable medium having computer-readable data.....to maintain information representing a calling party selected ring tone, to recognize an event trigger signaling a request to place a VoIP call from the calling party to a called party..." Applicants submit that Roberts paragraphs 0002, 0025, 0056, 0059 do not disclose this element. No mention is made of a computer-readable medium ...to maintain information representing a calling party selected ring tone..." within Roberts paragraphs 0002, 0025, 0056, or 0059. Hence, Roberts does not disclose this element.

Further, Roberts paragraphs 0002, 0025, 0056, 0059 do not disclose "...a computer-readable medium having computer-readable data to...initiate completion of the VoIP call, and to direct delivery of the information to a telephonic device of the called party in a format that allows the telephonic device to output the calling party selected ring tone as an indication of an incoming call." In particular, Roberts paragraphs 0002, 0025, 0056, 0059 do not disclose "...the calling party selected ring tone..." Applicants submit that the cited art does not disclose this element.

For at least the above reasons, Applicants submit that claim 31 is allowable over the cited prior art.

Claim 32 depends from allowable independent claim 31. Applicants submit that dependent claim 32 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "a computer-readable medium having additional computer-readable data to determine if the called party desires delivery of the information." Applicants submit that Roberts paragraph 0025 makes no mention of a computer-readable medium having additional computer-readable data to determine if the called party desires delivery of the information. Roberts paragraph 0025 discloses a computer 132 that communicates with telephone network 100. Therefore the cited prior art does not disclose this element.

For at least all of the above reasons, Applicants submit that claim 32 is allowable over the cited prior art.

Claim 33

The Examiner has rejected independent Claim 33 as anticipated by Roberts. Applicants traverse the rejection.

The Examiner states that paragraph 0025 of Roberts discloses "recognizing a request to complete a voice over Internet protocol (VoIP) call to a called party." However, Applicants submit that paragraph 0025 does not disclose this element; rather, paragraph 0025 discloses a computer 132 that communicates with a telephone network. No mention is made of recognizing a request to complete a VoIP call to a called party within Roberts paragraph 0025. Hence, Roberts does not disclose this element.

Further, the Examiner states that paragraph 0056 of Roberts discloses "receiving custom ring information from a calling party of the VOIP call, the custom ring information representing a desired ring tone to be played to the called party." Applicants submit that paragraph 0056 of Roberts does not disclose this element; rather, paragraph 0056 discloses step 410, wherein SCP 370 determines whether the call is from a priority caller. If the calling party phone number appears in the calling party ID field of the information data base entry for the called party, then SCP 370 determines that the caller is a priority caller. No mention is made of "receiving first

custom ring information from a calling party...representing a desired ring tone to be played by the called party." Hence, Roberts does not disclose this element.

The Examiner states that Roberts paragraph 0058 discloses "determining not to play the first custom ring information to the called party." Applicants submit that Roberts paragraph 0058 does not disclose this; rather, Roberts paragraph 0058 discloses terminating the call with a regular ringing tone, or alternatively with an announcement. Hence, Roberts does not disclose this element.

For at least the above reasons, Applicants submit that independent claim 33 is allowable over the cited prior art.

Claim 34 depends from allowable independent claim 33. Applicants submit that dependent claim 34 is therefore allowable.

Further, the Examiner refers to Roberts paragraph 0025 as disclosing elements of claim 34. However, Applicants submit that Roberts paragraph 0025 makes no mention of "...receiving Caller Identification information associated with the call; and using the Caller Identification information to determine that the called party does not want to receive the first custom ring information." Instead, Roberts paragraph 0025 discloses a computer 132 communicating with telephone network 100 via connection 134 and computer network 130. Therefore, the cited prior art does not disclose each and every element of claim 34.

Further, Roberts paragraph 0058 makes no mention of "using the Caller Identification information to determine that the called party does not want to receive the custom ring information." Applicants submit that Roberts paragraph 0058 does not disclose this element; rather, Roberts paragraph 0058 discloses that SCP 370 sends a default response to SSP 316. Roberts paragraph 0058 makes no mention of using Caller Identification information to determine that the called party does not want to receive the custom ring information. There is no mention of custom ring information in Roberts paragraph 0058. Therefore, the cited prior art does not disclose each and every element of claim 34.

For at least the reasons presented above, Applicants submit that claim 34 is allowable over the cited prior art.

Claim 35 depends from allowable independent claim 33. Applicants submit that dependent claim 35 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0058 discloses “[a] call indication method...further comprising blocking the first custom ring information.” Applicants submit that Roberts paragraph 0058 does not disclose blocking delivery of custom ring information. Instead, Roberts paragraph 0058 discloses that SCP 370 sends a default response to SSP316, to complete the call to telephone line 314 with a regular ringing tone, or to play an announcement that the subscriber 310 is unavailable. There is no mention in Roberts paragraph 0058 of blocking delivery of custom ring information. Therefore, claim 35 is allowable over the cited prior art.

For at least the reasons presented above, Applicants submit that claim 35 is allowable over the cited prior art.

Claim 36 depends from allowable independent claim 33. Applicants submit that dependent claim 36 is therefore allowable.

Further, the Examiner states that Sloo paragraph 0051 or paragraph 0052 discloses “a call indication method...wherein determining not to play the first custom ring information comprises determining that the called party has a device that is not capable of playing the first custom ring information.” Applicants submit the following:

- 1) Examiner does not supply the US patent number identified with inventor Sloo.
- 2) In the alternative, if the Examiner meant to cite Roberts, then Applicants respond as follows:

Roberts paragraph 0051 does not disclose receiving Caller Identification information associated with the second VoIP call. Roberts paragraph 0051 makes no mention of determining that the called party has a device that is not capable of playing the first custom ring information. Instead Roberts paragraph 0051 discloses the subscriber number (called phone no.) is associated with priority caller information, e.g., the priority caller phone no. Therefore, Roberts paragraph 0051 does not disclose this element.

Applicants submit that Roberts paragraph 0052 does not disclose this element. Rather, Roberts paragraph 0052 discloses that priority caller information and subscriber number (i.e., called number) are stored in database 372, which can contain information regarding a priority alert signal that is associated with the subscriber (called) number. There is no mention of

"determining that the called party has a device that is not capable of playing the first custom ring information..." in Roberts paragraph 0052. Therefore, Roberts paragraph 0052 does not disclose this element.

For at least the reasons presented above, Applicants submit that claim 36 is allowable over the cited prior art.

Claim 37 depends from allowable independent claim 33. Applicants submit that dependent claim 37 is therefore allowable.

Further, the Examiner rejects claim 37, and cites Roberts paragraph 0059. Applicants submit that Roberts paragraph 0059 makes no mention of "the custom ring includes an advertisement."

For at least the reasons presented above, Applicants submit that claim 37 is allowable over the cited prior art.

Claim 38 depends from allowable independent claim 33. Applicants submit that claim 38 is therefore allowable.

Further, the Examiner states that Roberts paragraph 0055 discloses "a call indication method, further comprising prompting the calling party to communicate he custom ring information..." Applicants submit that Roberts paragraph 0055 does not disclose a call indication method comprising prompting the calling party to communicate the custom ring information. Rather, Roberts paragraph 0055 discloses SSP 316 launching a query to SCP 370, such as an Info_Analyze query comprising, e.g., the called party phone no., and the calling party phone no. There is no mention of "prompting the calling party to communicate the custom ring information" in Roberts paragraph 0055. Therefore, the cited prior art fails to disclose each and every element of claim 38.

Further, the Examiner states that Roberts paragraph 0052 discloses "recording the custom ring information." Applicants submit that Roberts paragraph 0052 makes no mention of recording the custom ring information. Therefore, the cited prior art fails to disclose each and every element of claim 38.

For at least the reasons cited above, Applicants submit that dependent claim 38 is allowable over the cited prior art.

Claim 39 depends from allowable independent claim 33. Applicants submit that dependent claim 39 is therefore allowable over the cited prior art.

Further, the Examiner states that Roberts paragraph 0059 discloses "at least a portion of the first custom ring information represents a spoken message." Applicants submit that Roberts paragraph 0059 makes no mention of the first custom ring information. Therefore, the cited prior art fails to disclose each and every element of claim 39.

For at least the reasons cited above, Applicants submit that dependent claim 39 is allowable over the cited prior art.

Claim 40 depends from allowable independent claim 33. Applicants submit that dependent claim 40 is therefore allowable over the cited prior art.

Further, the Examiner states that Roberts paragraph 0025 discloses "a call indication method, wherein recognizing the request to complete the call occurs after receiving the first custom ring information." Applicants submit that Roberts paragraph 0025 makes no mention of a call indication method, nor of recognizing the request to complete the call after receiving the first custom ring information. Therefore, the cited prior art fails to disclose each and every element of claim 40.

For at least the reasons presented above, Applicants submit that dependent claim 40 is allowable over the cited prior art.

Claim 41 depends from allowable independent claim 33. Applicants submit that dependent claim 41 is therefore allowable over the cited prior art.

Further, the Examiner states that Roberts paragraph 0059 discloses "a call indication method...further comprising storing the first custom ring information in a memory residing in a piece of calling party customer premises equipment." Applicants submit that Roberts paragraph 0059 makes no mention of storing the first custom ring information in a memory residing in a piece of customer premises equipment. In fact, Roberts paragraph 0059 does not disclose storing custom ring information; rather, Roberts paragraph 0059 discloses CPE 112 to play the priority alert signal specified in database 372, but there is no mention of storing custom ring information. Therefore, the cited prior art fails to disclose each and every element of the claim.

For at least the reasons presented above, Applicants submit that claim 41 is allowable over the cited prior art.

Claim 42 depends from allowable independent claim 33. Applicants submit that dependent claim 42 is therefore allowable over the cited prior art.

Further, the Examiner states that Roberts paragraph 0059 discloses "a call indication method...further comprising storing the first custom ring information in a memory located within a service provider network." Applicants submit that Roberts paragraph 0059 makes no mention of storing the first custom ring information in a memory located within a service provider network. In fact, Roberts paragraph 0059 does not disclose storing custom ring information; rather, Roberts paragraph 0059 discloses CPE 112 to play the priority alert signal specified in database 372, but there is no mention of storing custom ring information. Therefore, the cited prior art fails to disclose each and every element of claim 42.

For at least the reasons presented above, Applicants submit that claim 42 is allowable over the cited prior art.

Claim 43

The Examiner has rejected independent claim 43 as anticipated by Roberts. Applicants traverse the rejection.

The Examiner states that Roberts paragraph 0059 discloses "an electronic device...comprising a housing component...." Applicants submit that Roberts paragraph 0059 contains no mention of a housing component. Therefore, the cited prior art does not disclose each and every element of claim 43.

Further, the Examiner states that Roberts paragraph 0052 discloses "a memory located within an enclosure at least partially formed by the housing component...." Applicants submit that Roberts paragraph 0052 makes no mention of a memory located within an enclosure at least partially formed by the housing component. Therefore, the cited prior art does not disclose each and every element of claim 43.

Further, claim 43 includes "...the memory storing ring tone information representing the select ring tone and includes an advertisement...." (emphasis added). None of Roberts

paragraphs 0059, 0052, 0054 discloses an advertisement. Therefore, the cited prior art does not disclose each and every element of claim 43.

Further, the Examiner states that Roberts paragraph 0054 discloses "a user interface for the electronic device operable to receive a user input indicating a desire to place a call to a called party...." Applicants submit that Roberts paragraph 0054 makes no mention of a user interface operable to receive a user input. Therefore, the cited prior art does not disclose each and every element of claim 43.

Further, the Examiner states that Roberts paragraph 0059 discloses "an output engine operable to initiate communication of the ring tone information...such that a telephonic device of the called party outputs the select ring tone...." Applicants submit that Roberts paragraph 0059 makes no mention of the select ring tone. Rather, paragraph 0059 discloses that SCP 370 sends SSP 316 a priority response that may include a special code indicating that CPE 112 play the priority alert signal. There is no mention of a select ring tone; only the (singular) priority signal. Therefore, the cited prior art does not disclose each and every element of claim 26.

For at least the reasons presented above, Applicants submit that independent claim 43 is allowable over the cited prior art.

Claim 44 depends directly from allowable independent claim 43. Applicants submit that dependent claim 44 is therefore allowable.

Claim 45 depends from allowable independent claim 43. Applicants submit that dependent claim 45 is therefore allowable.

Further, the Examiner states that that Roberts paragraph 0059 discloses "a call indication method, wherein at least a portion of the custom ring information has a file format selected from the group consisting of a .WAV file, a .MIDI file, and a .AU file. Applicants submit that Roberts paragraph 0059 makes no mention of a .WAV file, a .MIDI file, or a .AU file. Therefore, the cited art fails to disclose each and every element of claim 45.

For at least the reasons presented above, Applicants submit that dependent claim 45 is allowable over the cited prior art.

Claim 46 depends from allowable independent claim 43. Applicants submit that dependent claim 46 is therefore allowable.

Further, the Examiner has rejected claim 46, which includes "...wherein the memory stores additional ring tone information representing a second select ring tone, further wherein the select ring tone is associated with the called party and the second select ring tone is associated with a different party." The Examiner has rejected claim 46 as anticipated by Roberts, paragraph 0058. Applicants submit that Roberts paragraph 0058 makes no mention of the select ring tone associated with the called party or the second select ring tone associated with a different party. Therefore, the cited reference does not disclose each and every element of claim 46.

For at least the reasons presented above, Applicants submit that dependent claim 46 is allowable over the cited prior art.

Claim 47 depends from allowable independent claim 43. Therefore dependent claim 47 is allowable.

Further, the Examiner states that Roberts paragraph 0025 discloses "an electronic address book comprising a listing for the called party and a second listing for the second party." Applicants submit that Roberts paragraph 0025 makes no mention of an electronic address book. Further, there is no mention in Roberts paragraph 0025 of a listing for the called party and a second listing for the second party. Therefore, the cited art does not disclose each and every element of claim 47.

For at least the reasons presented above, Applicants submit that dependent claim 47 is allowable over the cited prior art.

Claim 48

Independent Claim 48 stands rejected as anticipated by Roberts. Applicants traverse the rejection.

The Examiner does not address "a computer-readable medium having computer-readable data to maintain information representing a calling party selected ring tone..." Therefore, the cited prior art does not disclose each and every element of claim 48.

Further, Applicants submit that Roberts paragraph 0025, 0056 and 0059 do not disclose "a computer-readable medium having computer-readable data to recognize an event trigger

signaling a request to place a VoIP call from a calling party to a called party...." Rather, paragraph 0025 discloses a computer 132 that communicates with a telephone network. No mention is made within Roberts paragraph 0025 of a computer-readable medium having computer-readable data to recognize an event trigger signaling a request to place a VoIP call from a calling party to a called party. Paragraph 0056 discloses step 410, wherein SCP 370 determines whether the call is from a priority caller. Paragraph 0059 discloses that if the call is received from a priority caller, SCP sends SSP 316 a priority response that may include a special code indicating that CPE 112 should play the priority alert signal. "The priority alert signal" is not "custom ring information from a calling party"; rather, the priority alert signal is a singular signal that indicates that any priority caller has called. Thus, the priority alert signal is not "...custom ring information to the called party." Hence, Roberts does not disclose this element.

Further, paragraph 0025, 0056 and 0059 of Roberts do not mention "a computer-readable medium having computer-readable data to...initiate completion of the VoIP call...." Therefore, the cited prior art does not disclose this element.

Further, Roberts paragraphs 0025, 0056 and 0059 do not disclose "a computer-readable medium having computer-readable data to...direct delivery of the information to a telephonic device of the called party in a format that allows the telephonic device to output the calling party selected ring tone as an indication of an incoming call...." There is no mention in Roberts paragraphs 0025, 0056 and 0059 of a computer-readable medium having computer-readable data, nor of direct delivery of the information in a format that allows a telephonic device to output the calling party selected ring tone. Roberts does not disclose a calling party selected ring tone. Hence, Roberts does not disclose this element.

The Examiner does not cite prior art that anticipates "a computer-readable medium having computer-readable data to ...determine not to play the calling party selected ringtone." Hence the cited prior art does not disclose each and every element of the claim.

For at least all of the above reasons, Applicants submit that independent claim 48 is allowable over the cited prior art.

Claim 49 depends from allowable independent claim 48. Applicants submit that dependent claim 49 is therefore allowable.

Further, the Examiner does not cite prior art that discloses "...computer-readable data to use Caller Identification information associated with the call to determine that the called party does not want to receive the first custom ring information." Applicants submit that Roberts paragraph 0058 does not disclose this element; rather, Roberts paragraph 0058 discloses sending a default response, e.g., instructing SSP 316 to complete the call with a regular ringing tone.

Roberts does not disclose each and every element of Applicants' claim 49.

For at least the above reasons, Applicants submit that claim 49 is allowable over the cited prior art.

Claim 50 depends from allowable claim 48. Applicants submit that dependent claim 50 is therefore allowable.

Further, the Examiner cites Roberts paragraph 0058 as anticipating "...computer-readable data to determine not to play the calling party selected ringtone comprises computer-readable data to block the calling party selected ringtone." Applicants submit that Roberts paragraph 0058 makes no mention of computer-readable medium or computer-readable data, to determine not to play a calling party selected ringtone. As described above, Roberts paragraph 0058 discloses SCP 370 sending a default response to SSP 316, which may comprise an instruction to execute a suitable action, e.g., complete the call with a regular ringing tone. Therefore the cited prior art does not disclose each and every element of claim 50.

Therefore, Roberts does not disclose each and every element of claim 50.

For at least all of the above reasons, Applicants submit that claim 50 is allowable over the cited prior art.

Claim 51 depends from allowable independent claim 48. Applicants submit that dependent claim 51 is therefore allowable.

Further, the Examiner does not cite prior art that anticipates "...computer-readable medium...wherein the computer-readable data to determine not to play the calling party selected ringtone comprises computer-readable data to determine that the calling party has a device that is not capable of playing the calling party selected ringtone." Roberts paragraph 0025 makes no mention of determining that the calling party has a device not capable of playing the calling party

selected ringtone. Roberts does not disclose a calling party selected ringtone. Therefore the cited prior art does not disclose each and every element of claim 51.

Roberts does not disclose each and every element of claim 51.

For at least the above reasons, Applicants submit that claim 51 is allowable over the cited prior art.

Claim 52 depends from allowable independent claim 48. Applicants submit that dependent claim 52 is therefore allowable.

Further, the Examiner does not cite prior art that anticipates "...wherein the calling party selected ringtone includes an advertisement." Roberts paragraph 0059 makes no mention of an advertisement, nor of a calling party selected ringtone. Therefore, the cited prior art does not disclose each and every element of claim 52.

For at least the above reasons, Applicants submit that claim 52 is allowable over the cited prior art.

Claim 53 depends from allowable independent claim 48. Applicants submit that dependent claim 53 is therefore allowable.

CONCLUSION

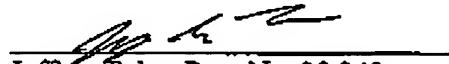
Based on the above remarks, the Applicants believe that all of the rejections set forth in the Office Action mailed February 10, 2006 have been overcome, and that the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the claims now pending.

If the Examiner has any questions, please contact the Applicants' undersigned representative at the number provided below.

Respectfully submitted,

5-8-2006

Date



Jeffrey Toler, Reg. No. 38,342
Attorney for Applicant(s)
TOLER SCHAFFER, LLP
5000 Plaza On The Lake, Suite 265
Austin, TX 78746
(512) 327-5515 (phone)
(512) 327-5575 (fax)